

Subsec. (e). Pub. L. 107-171, §10303(a)(1), inserted heading and substituted “\$15,000” for “\$5,000” in text.

Subsec. (g)(2)(B). Pub. L. 107-171, §10303(a)(2), inserted “or from any State into any foreign country” before semicolon.

CHANGE OF NAME

“United States magistrate judge” substituted for “United States magistrate” in subsec. (f) pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-171, title X, §10302(b), May 13, 2002, 116 Stat. 492, provided that: “The amendments made by this section [amending this section] take effect 1 year after the date of enactment of this Act [May 13, 2002].”

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SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2153, 2154; title 39 section 3001.

§ 2157. Release of trade secrets

(a) Release of confidential information prohibited

It shall be unlawful for any member of an Institutional Animal Committee to release any confidential information of the research facility including any information that concerns or relates to—

- (1) the trade secrets, processes, operations, style of work, or apparatus; or
- (2) the identity, confidential statistical data, amount or source of any income, profits, losses, or expenditures,

of the research facility.

(b) Wrongful use of confidential information prohibited

It shall be unlawful for any member of such Committee—

- (1) to use or attempt to use to his advantages; or
- (2) to reveal to any other person,

any information which is entitled to protection as confidential information under subsection (a) of this section.

(c) Penalties

A violation of subsection (a) or (b) of this section is punishable by—

- (1) removal from such Committee; and
- (2)(A) a fine of not more than \$1,000 and imprisonment of not more than one year; or
- (B) if such violation is willful, a fine of not more than \$10,000 and imprisonment of not more than three years.

(d) Recovery of damages by injured person; costs; attorney's fee

Any person, including any research facility, injured in its business or property by reason of a violation of this section may recover all actual and consequential damages sustained by such person and the cost of the suit including a reasonable attorney's fee.

(e) Other rights and remedies

Nothing in this section shall be construed to affect any other rights of a person injured in its

business or property by reason of a violation of this section. Subsection (d) of this section shall not be construed to limit the exercise of any such rights arising out of or relating to a violation of subsections (a) and (b) of this section.

(Pub. L. 89-544, §27, as added Pub. L. 99-198, title XVII, §1754, Dec. 23, 1985, 99 Stat. 1649.)

EFFECTIVE DATE

Section effective one year after Dec. 23, 1985, see section 1759 of Pub. L. 99-198, set out as an Effective Date of 1985 Amendment note under section 2131 of this title.

§ 2158. Protection of pets

(a) Holding period

(1) Requirement

In the case of each dog or cat acquired by an entity described in paragraph (2), such entity shall hold and care for such dog or cat for a period of not less than five days to enable such dog or cat to be recovered by its original owner or adopted by other individuals before such entity sells such dog or cat to a dealer.

(2) Entities described

An entity subject to paragraph (1) is—

- (A) each State, county, or city owned and operated pound or shelter;
- (B) each private entity established for the purpose of caring for animals, such as a humane society, or other organization that is under contract with a State, county, or city that operates as a pound or shelter and that releases animals on a voluntary basis; and
- (C) each research facility licensed by the Department of Agriculture.

(b) Certification

(1) In general

A dealer may not sell, provide, or make available to any individual or entity a random source dog or cat unless such dealer provides the recipient with a valid certification that meets the requirements of paragraph (2) and indicates compliance with subsection (a) of this section.

(2) Requirements

A valid certification shall contain—

- (A) the name, address, and Department of Agriculture license or registration number (if such number exists) of the dealer;
- (B) the name, address, Department of Agriculture license or registration number (if such number exists), and the signature of the recipient of the dog or cat;
- (C) a description of the dog or cat being provided that shall include—
 - (i) the species and breed or type of such;
 - (ii) the sex of such;
 - (iii) the date of birth (if known) of such;
 - (iv) the color and any distinctive marking of such; and
 - (v) any other information that the Secretary by regulation shall determine to be appropriate;
- (D) the name and address of the person, pound, or shelter from which the dog or cat was purchased or otherwise acquired by the dealer, and an assurance that such person,